

Appl. No. 09/849,555
Atty. Docket No. 8325
Amdt. dated 11/15/2004
Reply to Office Action of 3/30/04
Customer No. 27752

REMARKS

Rejection Under 35 USC 102

Claims 1-3, 10-24 and 29-43 are rejected under 35 USC 102(a) as being anticipated by Berndt et al. (US 6,063,135). It would appear that the Examiner is relying on the dry cleaning process as taught by Berndt et al. to arrive at the presently claimed invention. Specifically, Examiner suggests that Berndt et al. discloses a drying step that uses pressurized steam to heat the air inside the basket through the use of a circulating fan.

Applicants respectfully traverse.

Berndt et al. states that, in the drying step, “. . . heating is accomplished by passing pressurized steam through a coil that heats up the air inside the basket through the use of a circulating fan.” (see Berndt et al. Col. 8, lines 59-61) (emphasis added). One of ordinary skill in the art would read this disclosure of Berndt et al. to mean that the pressurized steam is contained in a heating coil and air heated by said heating coil circulates inside the basket to dry the fabric articles. In such a system, steam is not applied to the fabric articles inside the basket. Therefore, Applicants submit that Berndt et al. does not anticipate the presently claimed invention.

Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejections Under 35 USC 103 over Berndt et al. in view of Eisen

Claims 4-9 and 25-28 are rejected under 35 USC 103(a) as being unpatentable over Berndt et al (US 6,063,135) in view of Eisen (US 5,940,988). Examiner acknowledges that Berndt et al. does not teach the pulses or the droplet sizes of the aqueous vapor, nor the use of cold steam. Examiner suggests that Eisen's teaching of applying water vapor to increase the moisture content of the garment and operator-controlled parameters with the teaching of Berndt et al. would have rendered the presently claimed invention obvious.

Applicants respectfully traverse.

Berndt et al. teaches an improved dry cleaning process and apparatus employing non-conventional solvents. Eisen teaches an improved dry cleaning process and apparatus

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that avoid dry cleaning solvents all together; rather, Eisen teaches various optional and non-optional steps encompassing pressurized air or gas, and/or treatment solutions (such as baking soda solution, carbonic acid solution), water conditioning, fabric conditioning. There is no motivation in the cited references to combine a solvent-based process with a specific step of a non-solvent based process. Given that Berndt et al. is silent on applying water vapor to the fabric articles, one has to rely on improper hindsight to pick and choose from the various teachings of Eisen, without motivation from the reference or the art in general, to arrive at Applicants' claimed process.

Moreover, MPEP 706.02 clearly provides that the references must teach or suggest all the claim limitations. Applicants submit that even if the cited references can be properly combined, the references fail to teach or suggest every claim limitations, specifically, the references are silent as to the amount of aqueous vapor applied to the fabrics.

Based on the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections.

Rejections Under 35 USC 103 over Madore et al. in view of Eisen

Claims 33-43 are rejected under 35 USC 103(a) as being unpatentable over Madore et al (US 65,057,240) in view of Eisen (US 5,940,988). The Examiner states that Madore teaches a detergent composition having fabric softening properties wherein the fabric softening agent is a silicone, including volatile cyclic silicone, such as decamethylcyclopentasiloxane, and Eisen is relied on as stated above.

Applicants respectfully traverse.

Madore et al. teaches a detergent composition for use in an aqueous wash process (Madore et al, Example III). Madore et al. does not teach or suggest using the composition in a dry cleaning process or applying a water vapor to a fabric articles. In contrast, Eisen is directed to an improved dry cleaning process which may include a water vapor conditioning step. Moreover, Eisen is silent about incorporating any detergent composition in the water vapor. Applicants submit that there is no motivation in the cited references to combine a detergent composition for an aqueous wash process in a dry

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cleaning process, or to combine a detergent composition with water vapor for use in a dry cleaning process.

Based on the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections.

CONCLUSION

Based on the foregoing, applicants submit that the present application is in condition for allowance.

In the event that issues remain prior to allowance of the noted claims, the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,
Deak et al

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